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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PRISCELLA SAINTAL, #28661,
v.
SHERYL FOSTER, et al.,

Plaintiff,
Defendants.

Case No. 2:11-cv-00445-RFB-PAL
ORDER
(Mot. to Withdraw - Dkt. #103)

12 This matter is before the court on the Attorney General's Motion to Withdraw as
13 Attorney of Record for Defendant Joseph Owens (Dkt. #103) filed February 4, 2016. The
14 motion represents that the Attorney General's Office has been unable to communicate with
15 Defendant Joseph Owens despite multiple attempts to reach him at his last known phone number
16 and by certified mail at his last known address to respond to outstanding discovery obligations.
17 NRS 41.0346 allows the Attorney General to withdraw if a former employee fails to cooperate in
18 the defense. The Attorney General therefore seeks to withdraw asserting Mr. Owen's failure to
19 respond or make himself available to defense counsel constitutes a failure to cooperate in good
20 faith. Without his cooperation the Attorney General argues he is unable to ethically represent
21 Mr. Owens.

22 The motion does not list Mr. Owens' last known address or phone number. However, the
23 attached exhibits provide the address at which the Attorney General directed its correspondence.
24 The last letter to Mr. Owen was sent January 26, 2016 and advised him that if he failed to contact
25 counsel a motion to withdraw would be filed.

26 Having reviewed and considered the matter,

27 **IT IS ORDERED:**

28 1. The Motion to Withdraw (#103) is **GRANTED, effective March 9, 2016.**

2. Mr. Owens shall have until **March 9, 2016** to retain counsel who shall make an appearance in accordance with the Local Rules of Practice, or file a statement that he will be appearing pro se, that is, representing himself.
3. Failure to timely comply with this order may result in sanctions up to and including a recommendation to the district judge that his answer be stricken and default judgment be entered against him.
4. The Attorney General shall serve Mr. Owen with a copy of this order at his last known address and file proof of service with the Clerk of Court.

DATED this 9th day of February, 2016.

Peggy A. Tees
PEGGY A. TEEN
UNITED STATES MAGISTRATE JUDGE